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 Attorney for Debtors

E-filed June 24, 2010

UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA

In Re: MICHAEL SZALAPSKI and
 LESA BUNTING,

Bankruptcy No. 10-51694
 Chapter 13
 Hearing Date: August 20, 2010
 Hearing Time: 2:00 p.m.
 Estimated Time: 5 minutes

Debtors.

OBJECTION TO PROOF OF CLAIM

Secured Creditor MorEquity, Inc. has filed a Proof of Claim for the sum of \$3,490.29, as a secured claim. Said amount is composed of the following:

F/C Attorney fee/cost	\$2,280.29
Accrued late fees	434.16
Delinquent real estate taxes	775.84

Debtors maintain that attorney fees and costs, for whatever reasons they have been incurred, presumably F/C stands for "foreclosure", are not secured by real estate and should be considered unsecured debt, and such costs would be discharged in a Chapter 7 bankruptcy.

Debtors agree that late fees are most likely secured debt due to MorEquity pursuant to the Note secured by a Deed of Trust on Debtor's residence.

Pursuant to 11 USC §507(a)(8), the property taxes are not dischargeable, and pursuant to 11 USC §523(a)(14A), non-dischargeable taxes that have been paid by another party are not dischargeable, and should be paid a secured debt.

WHEREFORE. Debtors pray as follows:

1. That Secured Creditor's request for attorney's fees and costs be deemed unsecured debt, in the amount of \$2,280.29;

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2. That the remaining amount of the Proof of Claim, \$1,210.00 for late fees and real property taxes, be deemed secured debt, and be paid through the Debtors' Chapter 13 plan; and
3. For any and all other relief that the Court deems appropriate.

Dated this 24th day of June, 2010.


/S/ PATRICIA A. PHAIR
Patricia A. Phair

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was mailed by me, Patricia A. Phair, on June 24, 2010, by depositing in the U.S. Mail, first class postage prepaid, to:

MorEquity, Inc.
P.O. Box 3788
Evansville, IN 47736

Michael Szalapski
Lesa Bunting
40 Miranda Court
Sparks, NV 89441

William Van Meter, Trustee
P.O. Box 6630
RENO, NV 89513


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